

**AN ORDINANCE**

**BY: COUNCILMEMBER C.T. MARTIN AS**   
**SUBSTITUTED BY FINANCE/EXECUTIVE COMMITTEE**

**AN ORDINANCE TO AMEND THE PENSION ACTS  
APPLICABLE TO THE CITY OF ATLANTA, SO AS  
TO PROVIDE FOR A RETIREMENT PROGRAM  
FOR EMPLOYEES SEPARATED TO BALANCE  
THE CITY OF ATLANTA BUDGETS AND FOR  
REORGANIZATION OF THE WORKFORCE; AND  
FOR OTHER PURPOSES.**

**WHEREAS**, the City of Atlanta is in a fiscal crisis and will be reducing the City's workforce to assist in balancing 2004 and 2005 Budgets; and

**WHEREAS**, the City of Atlanta is reorganizing the City's workforce and will be reducing the City's workforce in this process; and

**WHEREAS**, the City of Atlanta has passed legislation to provide for a retirement program for employees separated to balance the City of Atlanta budgets for 2002 and 2003; and

**WHEREAS**, the City of Atlanta desires to minimize the impact of a reduction in it's workforce on long term older employees.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS**, as follows:

**SECTION 1:** That Georgia Laws 1927, as amended by Georgia Laws 1978, is hereby further amended by adding an additional subsections which shall provide as follows:

- (a) Any officer or employee who is a member of the General Employee Pension Fund, who shall have served at least 15 years in the active service of the City, and who is involuntarily separated due to or in association with a Reduction-in Force (RIF), or in conjunction with the City's reorganization and downsizing of the City's workforce and budgetary needs, but not due to disciplinary action, between January 1, 2004 and December 31, 2005, may elect to take a monthly retirement benefit to be computed as follows: Said monthly retirement benefit shall be equal to a normal monthly pension benefit less one-fourth (1/4) of one percent (1%) per month for each month not to exceed 60 months that the officer or employee lacks in being 60 years of age, and one-eighth (1/8) of one percent (1%) for each month in excess of 60 months that the officer or employee lacks in being 60 years of age.

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**03-0-1690**

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(b) Any former officer or employee eligible to retire pursuant to this ordinance who has been involuntarily separated due to or in association with a RIF, but not due to disciplinary action, between January 1, 2004 and December 31, 2005 in conjunction with the City's reorganization and downsizing of the City's workforce and budgetary needs, and has already applied for and / or has been granted a service pension, may make written application to the Pension Office within the two year reemployment rights period to receive the benefit authorized in subsection (a) of this Ordinance.

(c) Any former officer or employee eligible to retire pursuant to this ordinance who has been involuntarily separated due to or in association with a RIF, but not due to disciplinary action, between January 1, 2004 and December 31, 2005 in conjunction with the City's reorganization and downsizing of the City's workforce and budgetary needs, and has applied for and received a refund of his/her pension contribution, may, within the two year reemployment rights period, repay said contribution plus interest at a rate of seven (7) percent per annum from the date of withdrawal of his/her contribution, to the date that he/she makes written application to the Pension Office for the purpose of receiving the benefit authorized in subsection (a) of this Ordinance.

(d) (i) This ordinance shall not apply to officers or employees who are rehired by the City of Atlanta or whose services are retained by the City pursuant to a contract; (ii) Nor shall this ordinance apply to officers or employees who reject or have rejected an offer of reemployment made by the City, to a position comparable to that from which the officer or employee was RIFFED or involuntarily separated in conjunction with the City's reorganization and downsizing of the City's workforce, budgetary needs or other purposes. For officers or employees who are RIFFED or so involuntarily separated subsequent to the enactment of this ordinance, said offer of reemployment must be made with sixty (60) days of the date of separation of any such officer or employee. For purposes of this subsection, a "comparable position" shall be defined as one for which the compensation is equal to or no less than 90% of the compensation earned by such officer or employee at the time of separation.

**SECTION 2:** That the Chief Financial Officer or designee be authorized to transfer expenses between various departments' personnel line items to accommodate the inequity from the Early Retirement Program savings realized between departments.

That the Chief Financial Officer or designee be required that funds be transferred to the General Employee's Pension Fund as needed to make compensation for the cost of monthly pension benefits due to the provisions of this Ordinance."

**SECTION 3:** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

(b) Any former officer or employee eligible to retire pursuant to this ordinance who has been involuntarily separated due to or in association with a RIF, but not due to disciplinary action, between January 1, 2004 and December 31, 2005 in conjunction with the City's reorganization and downsizing of the City's workforce and budgetary needs, and has already applied for and / or has been granted a service pension, may make written application to the Pension Office within the two year reemployment rights period to receive the benefit authorized in subsection (a) of this Ordinance.

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**SECTION 2:** That the Chief Financial Officer or designee be authorized to transfer expenses between various departments' personnel line items to accommodate the inequity from the Early Retirement Program savings realized between departments.

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